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Attorneys for Defendant A. O. Smith Corporation

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PROPERTY CASUALTY INSURANCE
COMPANY OF HARTFORD,

Plaintiff,

vs.

A.O. SMITH CORPORATION, a Delaware
corporation; and L.Y. Inc., doing business as
Residential Service Center, a Nevada
corporation, inclusive,

Defendants.

Case No.: 2:15-cv-01678-JAD-CWH

**STIPULATION AND ORDER
REGARDING A. O. SMITH
CORPORATION'S ATTORNEYS' FEES
AND COSTS INCURRED IN
CONNECTION WITH
MOTION TO COMPEL**

WHEREAS, A.O. Smith Corporation ("A.O. Smith") filed a motion to compel (ECF No. 49) (the "Motion to Compel") on June 28, 2016 against Property Casualty Insurance Company of Hartford ("Hartford" and with A.O. Smith, the "Parties") seeking the production of certain documents and information and sanctions in the form of its attorneys' fees and costs associated with bringing the Motion to Compel;

WHEREAS, a hearing on A.O. Smith's Motion to Compel took place on December 5, 2016;

WHEREAS, this Court entered a minute order (ECF No. 70) on December 5, 2016 (the "Minute Order") granting the Motion to Compel, in part, and finding that, pursuant to Fed. R. Civ. P. 37, A.O. Smith was entitled to sanctions in the form of recovery of its attorneys' fees and costs incurred in bringing the Motion to Compel, reply in support of the same and preparation for and appearance at the hearing on the same;

WHEREAS, the Court further ordered that the costs and fees shall be calculated at the hourly rate defense counsel charges A.O. Smith and that the parties shall meet and confer regarding the amount of fees and costs payable to A.O. Smith;

WHEREAS, pursuant to the Minute Order, the Parties conducted a meet and confer on December 14, 2016 and thereafter reached a compromise as to the amount of attorneys' fees and costs to be paid by Hartford in connection with the Motion to Compel;

WHEREAS, the undersigned counsel for A.O. Smith hereby represents that a total of \$7,156.25 has been billed and paid by A.O. Smith for the drafting of the Motion to Compel and reply in support of the same. The undersigned counsel further represents that an additional \$962.50 will be billed to A.O. Smith for preparation for and attendance at the hearing on the Motion to Compel;

NOW THEREFORE, the Parties, by and through their respective undersigned counsel, hereby stipulate and agree that the attorneys' fees and costs awarded to A.O. Smith shall be \$7,600.00, payable to counsel for A.O. Smith within 14 days of entry of this Order.

DATED this 20th day of December, 2016.

McDONALD CARANO WILSON LLP

BAUMAN LOEWE WITT & MAXWELL

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 Corporation*

*Attorneys for Plaintiff Property Casualty
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IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE

DATED: December 22, 2016

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